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CITIZENS AWARENESS NETWORK

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July 3, 2001

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Dr. Jane Summerson, EIS Document Manager, M/S 010,
U.S. DOE, Office of Civilian Radioactive Waste Management,
Yucca Mountain Site Characterization Office
P.O. Box 30307
North Las Vegas, Nevada 89036-0307

RE: "Comment Period for Specific Individuals for the Supplement to the DEIS for a Geologic Repository for the Disposal of Irradiated Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, NV," 66 Federal Register 34623-34624 (June 29, 2001)

Dear Dr. Summerson:

1 The U.S. Department of Energy [DOE] above referenced decision concerning the extension of the comment period on the Yucca Mountain SDEIS for some members of the interested public is arbitrary and capricious, and abuses the discretion Congress vested in the DOE. The DOE limited extension decision does not treat persons who requested the EIS and SDEIS in the past 30 days in an equitable fashion. Under that decision, select persons, to whom DOE mailed an SDEIS to make up for having omitted to mail it along with an DEIS, now have more time for comments than persons who received the DEIS/SDEIS within the past 30 days. Thus, the DOE decision to extend the comment period solely for the latter group is arbitrary, capricious, and utterly irrational and prejudices the interests of similarly situated persons who received copies of the DEIS/SDEIS within a similar time frame. Given the immense size of the DEIS and SDEIS, it is incumbent upon the DOE to make every effort to provide reasonable time for comment by all interested persons.

We request that DOE correct the inequitable situation created by its arbitrary choice of a remedy placing some recipients of the SDEIS at an advantage over others. A fair solution would entail extending the comment period for all persons until August 20th. We believe it is essential that the DOE schedule hearings along the transport routes to increase public participation by those directly affected by the siting of the repository.

Given that DOE must comply with NEPA and implementing regulations of the CEQ concerning public participation, we request that DOE take immediate action along the lines suggested above.

Sincerely,

Deborah Katz
Executive Director

THE EXPERIMENT IS OVER

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